

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

LAMAR COLEMAN #117612,)	
)	
Plaintiff,)	Case No. 2:07-cv-121
)	
v.)	HON. GORDON J. QUIST
)	
DAVID BERGH, et al.,)	ORDER DENYING LEAVE TO PROCEED
)	<u>IN FORMA PAUPERIS ON APPEAL</u>
Defendants.)	
)	

Plaintiff Lamar Coleman, a state prisoner incarcerated at the Alger Maximum Correctional Facility (LMF), filed a complaint pursuant to 42 U.S.C. § 1983. On October 11, 2007 (docket #11), the Court entered an order denying him leave to proceed *in forma pauperis* because he has “three strikes” within the meaning of 28 U.S.C. § 1915(g). Plaintiff failed to pay the filing fee in the required time period, and the Court dismissed the action on January 3, 2008 (docket #15). In the dismissal, the Court warned plaintiff that should he file a notice of appeal, he would be required to pay the \$455.00 filing fee in a lump sum, because he is prohibited from proceeding *in forma pauperis* on appeal by § 1915(g).

Plaintiff has now filed a notice of appeal, but has failed to submit the \$455.00 filing fee. As outlined in the Court’s memorandum opinion and order denying him pauper status based on § 1915(g), Plaintiff is barred from proceeding *in forma pauperis* on this appeal. Plaintiff has thirty days from the date of entry of this order to pay the entire filing fee for appealing a civil action, which

is \$455.00, to the Clerk of this Court. Plaintiff's failure to comply with this order may result in dismissal of this appeal without prejudice by the Sixth Circuit Court of Appeals.

Dated: February 5, 2008

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE

SEND REMITTANCES TO THE FOLLOWING ADDRESS:

Clerk, U.S. District Court
229 Federal Building
202 W. Washington St.
Marquette, MI 49855

All checks or other forms of payment shall be payable to "Clerk, U.S. District Court."